



DEPARTMENT OF STATE

Washington, D.C. 20520

February 1, 1979

~~CONFIDENTIAL~~ (ENTIRE TEXT)MEMORANDUM

TO : IO - Mr. Helman
 OES - Mr. Terrell
 OES/APT/SA - Dr. Pikus
 IO/UNP - Mr. Ward
 S/P - Mr. Gathright
 PM/DCA - Mr. Henkin
 INR/STA - Mr. Congdon
 Mr. Hayes
 EB/CTA/TD - Mr. Huffcutt
 L/EB - Ms. Bailly
 NSC - General Rosenberg
 NASA - Mr. Hosenball
 Mr. McNeil
 DOD - Cmdr. Melanson
 FCC - Mr. Schaefer
 ACDA - Mr. Timbie
 ✓CIA -
 NTIA - Mr. Barmat
 USUN - Mr. Reis

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FROM : L/UNA - Stephen R. Bond

SUBJECT: Outer Space Committee -- Preparations for
March Session of Legal Subcommittee (LSC)

The next meeting of the interagency group preparing for the March 12-April 6 meeting of the LSC will be held on Friday, February 9, at 10:30 a.m. in Room 5519. The meeting will cover all items on the agenda of the LSC.

Since our last meeting, the NSC has requested that fully coordinated positions be developed on remote sensing (including the Soviet fifty meter proposal), the definition of outer space (including the Soviet proposal on this

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GDS 2/1/85 (BOND, Stephen R.)

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subject) and the geostationary orbit, in addition to other agenda items. Unresolved policy issues are to go to the NSC for review by the NSC Policy Review Committee before the session begins.

Given the very limited amount of time before the LSC commences and the thorny issues to be dealt with, it is essential that a first draft of all papers previously tasked be sent to me by Wednesday morning, February 7, in order that they be circulated to the group before the Friday meeting.

The issues to be dealt with and the agencies responsible are as follows:

- 1) Moon Treaty -- Article-by-article analysis (including important negotiating history, basic thrust of article, particular problems or points to be noted and acceptability of existing to United States) by NASA. A draft of this paper is attached. OES, in consultation with H, IO, NASA and DOD to establish and provide for the Friday meeting a schedule of Congressional consultations for mid-February.
- 2) DBS -- Position and strategy on Canadian-Swedish compromise proposal, development of principle on free flow of information, other relevant issues - State/L.
- 3) Remote Sensing -- Review of U.S. open dissemination policy, as reflected in U.S. positions on remote sensing principles, in light of declassification of "fact of", imagery declassification study and integrated remote sensing systems study; options to deal with problems, including analysis of Soviet proposal on separate legal regimes distinguished by resolution, including perceived advantages and difficulties - S/P, L, DOD, NASA. Projection of technical developments over next decade, including large format camera and current NASA's thinking regarding dissemination policy for forthcoming projects - NASA. Analysis of new draft principles proposed at last year's LSC - L, OES.

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- 4) Definition and Delimitation of Outer Space --
Analysis of Soviet proposal and factors relevant to drawing a line or establishing a functional definition of outer space, taking into account relevant issues raised by ASAT negotiations - CIA to do analysis of Soviet motives, ADCA paper on effect on ABM treaty, NASA on relevant future plans and projects.
- 5) Geostationary Orbit -- Preliminary examination of U.S. position on question of legal regime for GSO, in addition to present ITU regulations - FCC.

Attachment:

NASA Moon Treaty Analysis.

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